

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN A. RUSSO, an individual,

No. C 07-3401 MMC

Plaintiff,

**ORDER DIRECTING PLAINTIFF TO  
SHOW CAUSE WHY DEFENDANT  
DOMAIN DELUXE SHOULD NOT BE  
DISMISSED FOR FAILURE TO SERVE**

v.

NETWORK SOLUTIONS, INC., et al.,

Defendants.

“If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or its own initiative, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified period . . . .” Fed. R. Civ. P. 4(m).

In the instant action, plaintiff filed his complaint on June 28, 2007. On November 2, 2007, the Court extended the deadline for service and directed plaintiff to file proof of service by November 21, 2007. (See Civil Minutes filed Nov. 2, 2007.) On January 4, 2008, the Court again extended plaintiff’s deadline for effectuating service, and directed that all defendants be served by plaintiff no later than February 22, 2008. (See Civil Minutes filed Jan. 4, 2008.) To date, plaintiff has not filed proof of service of the summons and complaint upon defendant Domain Deluxe.

Accordingly, plaintiff is hereby ORDERED TO SHOW CAUSE, in writing and no later

1 than April 25, 2008, why plaintiff's claims against Domain Deluxe should not be dismissed  
2 pursuant to Rule 4(m), without prejudice, for failure to serve within the period specified by  
3 the Court.

4 **IT IS SO ORDERED.**

5 Dated: April 10, 2008

  
MAXINE M. CHESNEY  
United States District Judge